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Report of the Adjutant-General

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Report of the Adjutant General 1876

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BIENNIAL REPORT

OF THE

ADJUTANT GENERAL

OF THE

STATE OF COLORADO

FOR THE

TERM ENDING DECEMBER 31, 1871.

TO THE GOVERNOR.

DENVER.

3856
maj. Marshall

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R E P O R T

OF THE

ADJUTANT GENERAL

Territory of Colorado.
Adjutant Generals Office,
Central City, Dec. 31st, 1871.

To His Excellency,
Edward M. McCook,
Governor and Commander in Chief.

Sir:

I have the honor to submit my report as Adjutant General from Dec. 31st, 1869 to Jan. 1st, 1872.

The duties of my office during the past two years have been almost wholly the answering of letters; hundreds of which have been received.

The information asked for in a majority of cases has been furnished; but owing to the want of records, many of them were answered by merely making the statement that no record of the case in question was on file in the Office. Full sets of muster rolls of our regiments could be obtained by the outlay of a few hundreds of dollars; and in justice to the men who so gallantly came forward to the defense of our country in the hour of need I believe such an appropriation should be made.

Territorial Militia

As at the time of my last report; so now, there are no organized militia in the territory.

This as a matter of report is of slight interest; but as a fact; is a subject of grave import.

Under the reaction of a return from military to civil life of a large proportion of our population; and the diversion of the public mind from military to other subjects; we in common with inhabitants of other states have fallen into a lethargy alike dangerous to the state and nation.

That we should have an efficient militia law; and that rigidly enforced no thinking mind will deny. This too as a matter of economy. How many thousands of lives, and millions of dollars might have been saved, had each of the loyal states at the opening of the rebellion possessed a well organized and drilled militia to have thrown immediately into the field instead of waiting months to raise their quotas by draft; and still further months to make these men efficient troops? There is no doubt that the rebellion would have been crushed within an year from the time of the firing of the first gun upon Sumpter had we been able to put at once into the field one half the troops which it eventually required to do the work. How vital then the importance of having an adequate force ready for any probable emergency?

As relevant to this subject; and believing it to be of paramount importance, I quote at length from a pamphlet lately received from the Adjutant General of Pennsylvania.

"The National Guard of the United States. Provisions for its support etc."

New York

This state has a National Guard of 98 companies of infantry, 12 of artillery, 28 [illegible]lry, organized into 41 regiments, (three of which have an aggregate of nearly eight hundred, eleven over five hundred, sixteen over four hundred,) 21 brigades, 8 divisions. Aggregate, 24,285, (to be reduced to 20,000).

The state has fully uniformed these troops, and now allows five dollars per year to every enlisted man, conditioned that he has made seven parades in full uniform during the previous year. The money so received becomes a regimental or company fund for the purchase of uniforms. For armory rent, the laws provide, for each company in a city $250 per annum, out of cities $150 is allowed, and $2.00 per day for armorers when necessarily employed. For head-quarters expenses there is allowed for a division $500 per annum; for brigades $300. In the 1st and 2d Divisions, which have an aggregate of 6000 and 3000 respectively, the allowance is, for the division head-quarters $1000, and for a brigade head-quarters, $500 per annum.

The troops are required to parade by regiment or battalion once in each year for review and inspection,

and also on six other occasions, and to drill by company once in each month for six months in the year, and as much oftener as the by-laws of the company, (made by the majority of the members,) may prescribe. The troops are also required occasionally to do camp duty, and lake and sea-coast defense duty. For this class of duty they receive, officers $2.00 to $8.00 per day, according to grade. The enlisted men receive $1.00 per day. Also, $1.00 per day for each horse used.

The total appropriation of the state for support of its National Guard, amounts to $200,000 per annum.

The term of service is seven years. During the term of service the members are exempt from jury duty, entitled to a deduction of $1000 on the assessed valuation of their real or personal property, and in going to or from parades, drills or meetings pass all toll-gates, bridges and ferries free of toll, and upon receiving an honorable discharge at the expiration of their term of service, they are relieved from military duty except in case of war, &c., and are forever after exempt from jury duty.

Massachusetts

This state has 92 companies of uniformed infantry, 5 batteries of artillery, 5 companies of cavalry, organized into 10 regiments, 3 brigades, 1 division. Aggregate, 6,277. Pays annually for rent of armories, $25,000. Total appropriations for the support of the militia, nearly $200,000 per annum. At the inspection in May, 1870, there were present 5,221, nearly eighty-three per cent of the entire force. The strongest regiment had present an aggregate of 560. The smallest regiment, 271. The adjutant-general reports the troops in very good condition.

Connecticut

Has a National Guard of 40 companies of infantry, 2 sections of artillery, organized into 4 regiments, 1 brigade, aggregate 2,906. Minimum of companies 37; maximum 101, rank and file. Term of service, five years; parade annually by company or regiment, in the month of May; attend camp for six successive days once in every two years. In addition, companies parade once in August or September, and drill not less than one hour in the evenings, not exceeding two evenings in each month, from October to April inclusive. Com-

pensation, to all officers and enlisted men, $2.00 per day for each day's duty performed, in compliance with the law, and 5 cents mileage going to and from place of parade. Members of bands $2.50 per day and mileage. $2.00 per day for every horse used. Rent of armories are paid for by the state, and all citizens between 21 and 45 years liable to military duty, but may commute by paying annually $2.00. Total monies collected from this commutation tax, $62,000 per annum. The adjutant-general, however, recommends that the tax be changed to a tax on property, and that the expenses of the National Guard be provided for in the same manner as in the legislative and judicial departments of the state. The troops are spoken of in the official reports as being in very efficient condition.

Vermont

This state has a National Guard of 4 regiments of infantry, 1 battery of artillery, uniformed and equipped by the state, which provides also armories, fires, lights, &c. Members receive $2.00 per day for each day's drill, not exceeding four days in any one year. A muster of three days may be had in the autumn, the state furnishing tents, blankets, straw, &c.

California

This state has a National Guard of 30 companies of infantry, 2 of artillery, 5 of cavalry, organized into 2 battalions, 2 regiments, 6 brigades, 1 division; aggregate 2,686. Term of service on year, (recommended to be extended to three years.) The state has uniformed the troops, and provided for the payment of $50.00 per month to each company of infantry and of cavalry, and $25.00 per gun, per month to companies of artillery. No other provision is made to relieve the members from the expenses of their organization, and no benefits accrue from service. The adjutant-general recommends that the members be relieved from jury duty, and also a limited amount of taxation.

In this state the tax for a revenue for National Guard is levied and collected from taxable property, and not upon the citizens between certain ages.

New Jersey

This state has a National Guard of 51 companies of infantry and 2 batteries of artillery, organized into

4 battalions, 6 regiments, 2 brigades. Aggregate 3,146. The total number of citizens enrolled and liable to military duty, 127,680.

The maximum number of companies of infantry has been fixed at 60, divided among the different counties, each county being entitled to at least one company. Provision is made for 6 companies of cavalry, and for two batteries of artillery. The minimum for the enlisted men of companies of infantry and cavalry is fixed at 40; the maximum 80. For batteries of artillery, the minimum is 45, the maximum 145.

Every company is required to parade at least twelve times in each year. One parade at least shall be by brigade. The governor may order the troops into camp once in three years, the camp to continue for six successive days. During such duty the quartermaster is authorized to furnish subsistence and forage, to compare as near as may be to the rations and forage issued in the army of the United States. The quartermaster also furnishes transportation for the troops, when ordered on parade by brigade. There is allowed to each company per annum $500, to cover expenses of rent of armory, purchase of uniforms, &c. To batteries the allowance is $1000 per annum.

All laws imposing a military tax have been repealed. The governor is empowered to make requisitions on the treasurer, to cover the expenses of the National Guard. The expenditure for this purpose during the year 1870 amounted to $26,126.55.

The term of service in this state is six years, divided into two terms of three years each. During the term of service the members are exempt from poll tax and from jury duty. They may be discharged at the end of three years, but no benefits accrue to them for their service. When they have reenlisted, and have served six years, and been honorably discharged, they are then entitled to exemption from jury duty forever after.

Pennsylvania

This state has 311 companies of National Guard, all unattached except in Philadelphia County, where they are organized into 10 regiments, 4 brigades, 1 division, with an aggregate of 6,000. (Since date of report battalions and regiments have been organized in other divisions.) Aggregate of the state, 14,800. During the year 1870, 4,500 Springfield breech-loading muskets were issued to the troops.

The laws of this state require military service of its citizens of the ages 21 to 45, but permits commutation by the payment of an annual tax of 50 cents. This commutation tax is intended to form a military fund in each county. Practically, this part of the law is inoperative, (except in Philadelphia County, where the tax is one dollar, and even here the cost of collection absorbs a very large proportion of the sum collected, so that the members receive but from four to five dollars per annum.) Expenses for rent of armories, music, fires, light, and cost of their uniforms and all other expenses that accrue, during the term of service, which the law has fixed at five years, falls upon the members. The members are exempt from jury duty, and upon receiving an honorable discharge at the end of the term of service, are exempt from further military service, except in case of war, &c. This is the only remuneration they receive. With all these disadvantages against the organization, the troops of this state are reported in very fair condition, some of the regiments and detached companies ranking among the best drilled and efficient in the union.

Rhode Island

This state furnishes aid to the members of her National Guard as follows: All foot soldiers, $2.50 per day for two days in each year; mounted troops same, and $3.00 additional for horse; $100 per annum for each company for an armory, and $50 per annum for an armorer. Special appropriations are made by the legislature from time to time, to enable the companies to procure uniforms, and cover other expenses.

Arkansas

This state has 78 companies of State Guard, with an aggregate of 5,484. For reason of the sparseness of population, it is found impracticable to maintain regimental organizations, and companies report direct to state headquarters. No provisions appear to be made for paying officers and men for their services, or for relieving them of the expenses of their organization.

Maryland

In this state forty to eighty citizens may organ-

ize a company of National Guards. The governor of the state has authority to make all needful regulations, to conform as near as practical to those of the U. S. army. Requirements, companies in a city to drill once a week for three months after organizing; then twice in each month. Out of cities, to drill twice a month, and as much oftener as their By-Laws (approved by the governor) may prescribe. Battalions to drill not less than six times in each year. Benefits; the state furnishes arms and uniforms which remain the property of the state, pays for armory rents for a regiment of not less than 300, $400 per annum, and for a company of not less than 40, $100 per annum. Every company may have as many honorary members as it has uniformed and equipped members. The honorary members shall pay not less than ten dollars per annum into the company fund. Both classes of members are exempted from jury duty.

Louisiana

This state has 37 companies of uniformed infantry, 3 of cavalry, 1 of artillery; organized into 6 regiments, 2 divisions, one of which has 2 brigade organizations. Aggregate strength, 3,469. Total enrolled militia, 107,821. Condition of the troops reported "fair." The term of service is two years, (recommended by the adjutant-general to be extended to five year years) and that the troops be relieved from jury duty, and also a limited amount of taxation during the term of service. The state furnishes arms and equipments, and also uniforms, which remain the property of the state.

Wisconsin

This state has 8 companies (organized as the 1st Regiment Wisconsin Volunteer Militia,) who, without any aid from the state, county or city, keep up a very creditable organization.

Oregon

This state has 2 companies of uniformed militia, furnished by the state with arms and armory. All other expenses are paid by the members. The state has failed to make any appropriation for military purposes for several years.

Maine

This state has 10 companies of militia, all infantry. Aggregate strength 937. The state furnishes arms, equipments and commutation for clothing.

Florida

This state has 96 volunteer companies organized, some of them very well drilled; 23 regiments partly organized; 3 brigade organizations. Companies may be organized whenever a sufficient number of citizens desire to do so. Officers are nominated by the governor and confirmed by the senate. White and colored companies to be organized separately. The troops do not all have arms, (Dec. 1870.) Estimating the companies at an aggregate of 35, there would be 3,360. Enrolled militia in the state, white, 11,612, colored, 10,242. Total, 21,854.

Minnesota

This state has 30 companies of infantry and 4 sections of field artillery. Aggregate, _____. The state furnishes nothing but arms, equipments and ammunition.

Indiana

This state has no organized militia.

Iowa

The militia laws of this state appear to be ineffective to bring about company organizations even. The state furnishes arms and equipments, but no uniforms or expenses of organizations.

The adjutant-general in his last annual report, remarks: "If the people of this state want a small militia organization only, that cannot be had, unless the law is made more stringent in its provisions, and unless the officers and soldiers are properly paid for services. It was hoped that Congress would have acted on this matter long since, under the provisions of the United States Constitution, for organizing, arming and discipling the militia."

Illinois

This state has no militia law in force, providing for the organization and equipment of state troops. The only existing organizations are volunteer companies, (independent) who provide their own uniforms, armories, &c., &c., and are only furnished with arms and accoutrements by the state.

Michigan

The adjutant-general in his reports remarks: "In regard to the state militia, I am sorry to say, that there is scarce enough of it to require any report on the subject."

This state, like most other states, has its militia laws. They, however, seem to be so fettered with provisions, that the revenue collected for militia is to a great extent practicably unavailable for the purpose for which it is collected. Of the six companies existing in the state, at date of former report, two have disbanded, leaving but four companies in the state; reported in good condition, well drilled and disciplined.

Ohio

This state has 2 companies uniformed militia, infantry, and 2 sections of artillery. "Except during one or two periods of public danger, the state has never had a militia so organized that it could be depended upon for efficient service in time of need." An act has been passed, April, 1870, to organize and regulate an independent militia, but carries a provision "That such organizations shall be no charge or expense whatever to the state."

Tennessee

"This state has no organization of National Guard or militia force."

Georgia

"This state has no organized militia or National Guard.

Missouri

"The present militia law of this state does not make any provision to relieve the members of the militia from expenses incidental to their organization."

Kansas

"With the exception of 2 companies organized to operate against the Indians, there are no military organizations in this state."

Delaware

"This state has made no provision to relieve the members of the uniformed militia from the expenses incidental to their organization."

Virginia

"This state has no organized militia."

The data upon which the foregoing summary is based, is drawn from the latest official reports, and although it is not so complete as desired, owing to non-receipt of response to circular in some cases, it suffices to enable the reader to form a correct opinion on the subject. It embraces 27 of the most populous and wealthy states.

The object of collating the information, has been with the view of presenting in a condensed form, the strength and condition of the uniformed militia or National Guard in the United States, and the provisions made in the several states to support this important branch of the government. With the hope of enlisting the vavorable consideration of the subject on the part of the people, and the co-operation of the press throughout the Union, in inducing Congress to adopt such measures as will tend to the organizing of National Guard in each state; one of such strength and efficiency, as to be capable of rendering aid to state and municipal authorities, and to admit of expansion at any time to meet any call that may be made for it to protect the general government.

The reverses that befel us in the early part of the late war are fast becoming a mere matter of history. That they have already lost the influence usually exerted by experience, may be seen by the fore going summary! The states that in 1861 were foremost

organized regiments to the defense of the capital, occupy the same position in regard to their willingness and ability to do so today. But, while these states are appropriating then hundreds of thousands of dollars every year, to keep their National Guard in an efficient condition, other states are standing aloof, refusing to appropriate a single dollar in the cause in which they have an equal interest. The course the latter states pursue is neither honorable nor just! It serves, however, to prove conclusively, that it is the duty of Congress to take charge of the matter of organizing the National Guard, and to require the several states to provide for the expenses thereof the same as for the support of the legislative, judicial and executive branches of their government.

It is at this point that the obstacle is encountered; it is universally admitted, that every government, whether municipal, state or general, requires a military force at times to preserve its existence or its laws from violence.

To furnish this force at the least possible cost is the problem to be solved. In European countries, it has been deemed most economical to keep large standing armies at all times. To adopt such a course in this country would be to act in opposition to the feelings and sentiments of our people, and, as we are geographically disconnected from any powerful neighbor, we endeavor to find the solution of the problem in the word "militia," notwithstanding that it is a word, that with us, has become almost meaningless; or at best, a word that means something that has little or no substance in it, as we learned to our cost in 1861. (It is believed that not a single state then relied upon its militia laws to raise its quota of troops called for by the general government.)

The subject of the militia has been deemed one worthy of the legislators' attention in the several states as soon as the states have been organized. There is scarce a single state to-day, without its militia law. Yet in most cases, these laws are deficient in that essential principle that is pre-requisite to the efficiency of any law! In the vast majority of cases these laws fail to provide for the adequate remuneration of those who are to perform the duties imposed by the laws. It would scarce be credited, where the various penalties prescribed by these laws for non-performance of duty in the active or uniformed militia, to be enumerated here -- and yet, a citizen may in most states avoid the penalties by

merely keeping himself disconnected from these organizations, and in other states, by paying annually a small commutation tax, so small in fact, that it is entirely absorbed in many cases, in the cost of collection.

The system of imposing all the burden and the expenses of the militia upon that class of citizens who are between twenty-one and forty-five years of age, is a very unjust one! All classes of citizens, of whatever age, have an interest in maintaining a military force to support the civil authorities. To those who are possessed of wealth, it is a matter of vital importance, no matter what their personal age may be, whether they are under or over forty-five years of age, they require to be protected in the enjoyment of their wealth, and should therefore be required to contribute to the support of the military forces of the state, upon the same principal upon which they are required to contribute to the support of the civil forces. In fact, the former are, and should be considered part of the latter.

In the State of California, the system of collecting a revenue from the taxable property within the state, for the support of its National Guard, has been in operation for several years, as is noted in the foregoing summary. In the state of New Jersey all laws imposing a military tax have been repealed, and the Governor authorized to make requisition on the Treasurer for the expenses of the National Guard of that state. In the state of Connecticut, where the system of a commutation tax for raising a revenue for the National Guard has been fairly tried, the adjutant-general submits for consideration the subject, substituting a tax upon property in lieu thereof.

In those states where a system of levying a tax on assessable property instead of levying it upon the citizens of certain ages is adopted, the citizens are relieved from the vexatious system of appeals, which is inseparable from the system of enrolment and personal tax, and the cost of the annual enrolment is saved to the state. The troops being obtained by volunteers, and the enrolment no longer an object; for should it become necessary to draft men for service at any time, an enrolment would necessarily have to be made a short time previous to the draft.

The members of the National Guard should be relieved from all necessary expenses incidental to their organization, and should also receive some compensation for their services -- as in the state of New Yor

where they are exempt from jury duty, and entitled to an abatement of one thousand dollars on the assessed valuation of their property, during their term of service, and exempt from jury duty ever after, as shown in the summary. But these benefits should be transferable. A member not possessed of taxable property should be entitled to transfer his right to abatement to his landlord or other person, and in leaving the state he should be allowed to carry his exemption into any state where he may go. The official reports from those states where proper provision is made for sustaining their National Guard indicate that these benefits, coupled with an appropriation of _____ dollars per man per year, for necessary expenses, would suffice to secure a sufficient number of volunteers to keep the ranks full, and secure attendance at say six days parade, for instruction by regiment in each year, and attendance at drill, by company, one evening in each week for say nine months in a year.

Our population by the last census is shown to be 38,555,570. One regiment of 500 to every 100,000 of population will give 385 regiments with an aggregate of 192,500, say 200,000. This force constantly under instruction, (without drawing a single man away from the productive force of the states,) would suffice for any emergency, and it could readily be increased by adding to the number of privates without in any way disturbing the company and regimental organization. This force would, in its normal condition, serve also as a good school for the instruction of those thousands of officers required in all large armies in the field, -- officers who need not necessarily be possessed of those scientific attainments which are imparted at West Point, but who, nevertheless, should be familiar with, and be able to instruct their troops in drill and discipline; immediately upon their entry on active duty. It would be found that the cost of maintaining this school would be infinitely less than the one maintained in the early part of the late war.

But, to reiterate, the states must provide for the expenses of their National Guard, as is clearly indicated by the facts shown in the foregoing summary. To induce some of them to do so, will evidently require some action on the part of Congress, and to bring this about, the personal influence of the reader is solicited, as he has an equal interest in the matter, in common with every American citizen.

Comment upon the foregoing is unnecessary and its perusal may I trust impress upon our legislations the

necessity of enacting a suitable militia law and making provision for its faithful execution.

Volunteer Militia

There are no organized volunteer militia in the Territory.

Ordnance and Ordnance Stores

Under this head my report is the same as that of 1869 -- except that there have been returned of arms issued; twenty (20) Springfield Muskets.

Militia Claims against the United States

These claims have I believe -- so far as the general government recognized them -- been settled; although I have no official information to that effect.

History of First, Second and Third Regiments

The compilation of this history so far as was possible from the incomplete records of my office has been completed since my last report.

In the compilation of this history I have expended $435.40 being $182 more than remained of the original appropriation of $1000 at the time of my appointment to the office of Adjutant General; and for which ammount I transmit a bill herewith.

The appropriation for the incidental expenses of this office was exhausted the first guarter of the current year, and I transmit herewith a bill for $127.75 to cover the deficiency.

Aboriginal Relations

Our relations with the indians have for the past two years been quite satisfactory; and instead of a long list of killed and missing we can recall but two or three instances of hostility on their part, and these perhaps not so well authenticated as to be traced to them. This bill in what seemed to be -- judging from our experiences of 1863 to 1868 -- a chronic indian war is attributable to the multiplication of railways and the increase of population within our borders; and not -- I think to any increased feel-

ing of friendship on the part of the indians.

I am sir
Very respy &c &c
Hal Sayr
Adjutant General
Colorado

A TRUE COPY
OF THE ORIGINAL MANUSCRIPT REPORT

John H. Nankivell

JOHN H. NANKIVELL,
Major, Infantry, (D.O.L.).